

**RECEIVED  
CENTRAL FAX CENTER**

**SEP 12 2006**

Varian, Inc.  
3120 Hansen Way, M/S D-102  
Palo Alto, CA 94304-1030 U.S.A.

**To** Examiner, Ryan Christensen  
**Company** UNITED STATES PATENT AND TRADEMARK OFFICE  
**Fax number** 1.571.273.8300  
**From** Bella Fishman  
**Date** September 12, 2006  
**Subject** US Patent Application No. 10/524,244  
Filing Date: February 10, 2005  
Varian Docket No. 03-19 US

Phone: 650.424.5086  
Fax: 650.424.3827

bella.fishman@varianinc.com  
www.varianinc.com



**VARIAN**

**Pages** (including this sheet) 22

I, Debbie Kus, hereby certify that on September 12, 2006 this correspondence is being transmitted to Examiner, Ryan Christensen at the Centralized Facsimile No. 1.571.273.8300 at the US Patent and Trademark Office.

Debbie Kus 9/12/06  
Signature Date Signed

Please see the attached documents in response to the Office Action mailed June 12, 2006 for the above referenced patent application.

1. Amendment (14 pages)
2. Replacement Sheets (2 sheets, Figs. 1 and 5)
3. Annotated Sheets (2 sheets, Figs. 1 and 5)
4. Terminal Disclaimer
5. Petition Fee Transmittal (2 copies)

This fax transmission may be confidential and subject to attorney-client, attorney work product and/or other legal privileges. If you are not the intended recipient or the person responsible for delivery to the intended recipient, you may not read, use, copy or distribute this fax transmission. If you received this fax transmission in error, please immediately notify by telephone the person who sent it, and return to that person by mail the original transmission and any copies thereof.

If you have any problems receiving this fax transmission, please call (650) 424-4814.

*fax*

SEP 12 2006

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/524,244
	Filing Date	February 10, 2005
	First Named Inventor	Charles Perkins
	Art Unit	2856
	Examiner Name	Ryan Christensen
	Attorney Docket Number	03-19 US

Enclosed is a petition filed under 37 CFR 1.20(d) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$\_\_\_\_\_ is enclosed.  
 This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-0895.  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$\_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.67(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.296 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 6.12 - for expedited handling of a foreign filing license.
- § 6.15 - for changing the scope of a license.
- § 6.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(e) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

Bella Fishman  
 Signature  
 Bella Fishman  
 Typed or printed name

September 12, 2006  
 Date

37, 485

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.